

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 5 CASES LISTED IN
EXHIBIT A TO PLAINTIFFS' NOTICE
OF ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE OF
ROBERT ROGERS, M.D., FOR WAVE 5**

Come now, the Defendants, and hereby adopt and incorporate by reference the Daubert response filed in relation to Robert Rogers, M.D., for Ethicon Wave 2, Dkt. [2488]. The Court previously overruled most of Plaintiffs' objections to Dr. Rogers's testimony, Dkt. [3545]. Defendants respectfully request that the Court deny Plaintiffs' motion, for the reasons expressed in the Wave 2 response briefing and as adopted by this Court in its prior ruling.

Respectfully submitted,

/s/ Christy D. Jones

Christy D. Jones
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4523
christy.jones@butlersnow.com

/s/ David B. Thomas

David B. Thomas (W. Va. Bar No. 3731)

Thomas Combs & Spann, PLLC

300 Summers Street, Suite 1380

P.O. Box 3824

Charleston, WV 25338-3824

(304) 414-1800

dthomas@tcspllc.com

ATTORNEYS FOR ETHICON, INC., ETHICON,
LLC and JOHNSON JOHNSON

CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

Christy D. Jones

37854149v1